

### **REMARKS**

This Amendment is in response to the Final Office Action mailed March 21, 2006. In the Office Action, claim 4 was rejected under 35 U.S.C. § 112, claims 1 and 3 were rejected under 35 U.S.C. § 102, and claims 7-17 and 19-21 were rejected under 35 U.S.C. §103. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

#### ***Claim Objections***

Applicant respectfully requests that the Examiner withdraw the objection to claim 7 based on the amendments to the claims as suggested by the Examiner.

#### ***Rejection Under 35 U.S.C. § 112***

Claim 4 was rejected under 35 U.S.C. § 112, first paragraph. Applicant respectfully traverses the rejection since the claim language of original claim 4 has been substantially added into the specification. Applicant respectfully requests that the Examiner to withdraw the §112 rejection as applied to claim 4.

#### ***Rejection Under 35 U.S.C. § 102***

Claims 1 and 3 were rejected under 35 U.S.C. §102(b) as being anticipated by Watanabe (U.S. Patent No. 5,463,590). Applicant respectfully traverses the rejection because a *prima facie* case of obviousness has not been established.

As the Examiner is aware, to anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Vergegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the...claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ 2d 1913, 1920 (Fed. Cir. 1989).

For instance, Applicant respectfully submits that Watanabe does not teach the claimed invention where the precharge is implicit so as to reduce the number of commands required, and

hence, reduce the bandwidth required for transmitting commands to initiate such precharge operations.

Applicant respectfully requests that the outstanding §102(b) rejection be withdrawn.

***Rejection Under 35 U.S.C. § 103***

Claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Osborne (U.S. Application 10/676,882) and Bondurant (U.S. Patent No. 6,330,636). Moreover, claims 7-17 and 19-21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe, Osborne, Bondurant in view of “NEC Preliminary User’s Manual” and Schaefer (U.S. Patent No. 5,636,173). Applicant respectfully traverses the rejection because a *prima facie* case of obviousness has not been established.

As the Examiner is aware, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations. *See MPEP §2143; see also In Re Fine, 873 F. 2d 1071, 5 U.S.P.Q.2D 1596 (Fed. Cir. 1988)*. Herein, the combined teachings of the cited references fail to describe or suggest all the claim limitations as noted above.

Based on the amendments set forth above, Applicant respectfully requests the Examiner to reconsider the claims as pending.

Appl. No. 10/676,882  
Amdt. Dated 07/21/2006  
Reply to Office Action of 3/21/06

**Conclusion**

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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By

  
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Susan McFarlane

7/21/2006

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